

THE
CONDEMNATION
OF

Oliver Plunket

Titular Primate of IRELAND,

And likewise of

Mr. Ed. Fitz-Harris

For High-Treason at the Kings Bench
in Westminster-Hall, June 15, 1681.

THe Court being sat, Oliver Plunket was brought to the Bar, and Mr. Attorney General moved in behalf of the King, for judgment against the Prisoner, where upon he was Orderd to hold up his Hand, and demanded what he had to say, why Judgment of Death should not be pronounced against him, for the High Treason, upon which he was lately Arraigned and found Guilty, in that Court.

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Whereupon *Mr. Plunket* insisted upon his want of Evidence, whom he expected should have appeared on his behalf at his Tryal, likewise the improbability of the Evidence against him, since the place where they Deposed an Army was to be Landed, was not capable of receiving them, and, that it was not possible for him to raise so much money in *Ireland* as should maintain them: He also insisted upon the Jury, alleadging That the Laws of *England* are so favourable to take a Jury out of the place where the Fact was Committed, that they may the better Judge of Times, places, and other Circumstances; He acknowledged he was a Priest and a Bishop in that Kingdom, which he said was not Treason there, and that while there was connivance, till the Proclamation did forbid him, he did Exercise his Function there; concluding with many Protestations of his Innocency.

The Court having with patience heard what he could say, proceeded to Sentence; and he was told he had been Convicted of the greatest and most horrid of all Crimes, even Treason of the highest nature; Treason against God, his King and Country: against God, in endeavouring to bring in a false Religion, and the most pernicious of all others whatsoever; for whereas True Religion teaches men their duty to God and man, this on the contrary, teaches men (for advancing the Church) to commit all manner of Villanies and Treasons; and as it was against God, so certainly he had committed a very high Crime against his Lawful Prince, since the design was to be carried on by taking away his Life, to whom he owed all manner of Allegiance and Obedience, and though he alleadged, That it was not Treason to be a Bishop or a Prelate in *Ireland*, yet the Court told him, That, for the Pope to set up Bishops and Prelates in His Majesties own Kingdom, against His Majesties Authority, though it were not formal Treason, yet it seemed to be of a Treasonable nature, since it set up another power against his natural Prince: and, then the Design was likewise to have brought Blood and Destruction upon the poor people of *Ireland*, which had been fully proved against him,

And as to what he alleadged of being Tryed in the same place where the Fact was Committed, he was told, That the Law whereby he was Tryed, was not made with a design to ensnare him, but that there were many precedents and Examples, that divers have been Arraigned and Condemned in *England*, for Treason Committed in *Ireland*,

He was then told, He was was near his End, and that it appeared he had lived in a false and wicked Religion for a long time, but yet there was room for Repentance even to the last, which the Court wished he might have grace to make use of; But all the business of the Court, was to tell him, what the Law said, since there was no room for Mercy in that Court but they were bound to pronounce Judgment against him, and the Judgment of the Court was, *That he must go from thence to the place from whence he came, and be drawn from thence through the City of London to Tyburn, and there be Hanged by the Neck, and to be cut down before he was Dead, and his Bowels to be cut out and Burned before his face, his Head to be cut off, his Body to be divided into four Quarters, and to be disposed of as his Majesty shall think fit.* The Court, beseeching God to have mercy upon his Soul.

Mr. Plunket then desired the favour, that his man might be permitted to come to him, which the Court allowed, and likewise told him, he might have a Protestant Minister come to him to discourse with him, but he declined it, saying, *He could do his business himself.*

A while after Mr. Fitz-Harris, was brought into Court, and the same Questions were demanded of him, as of Mr. Plunket; that is, What he could say, why Judgment of Death should not be pronounced against him?

Mr. Fitz-Harris said, He was one of the Kings Evidence, and desired time; But the Court told him, They could take no notice thereof, and he was now to offer some matter of Law, why Sentence should not pass upon him? to which he had little or nothing to say, and thereupon the Court proceeded and told him.

That he had been Indicted for Treason of the Highest Magnitude, even for designing the Ruin and Destruction of the King and the whole Kingdom; a Treason, which if it had not pleased God, mercifully to discover and prevent, would have brought all the Nation into Blood and misery; and that he had put himself upon his Country for his Tryal, who had found him Guilty of the same: He was therefore advised seriously to consider of the heinousness of his crime, which was to destroy His Majesty, and with him the best of His Subjects. to which end he had prepared that cursed Treasonable Libel, which was intended on purpose to stir up the people to Sedition and Rebellion: a crime against mankind, since it would have engaged them to have Murdered and Destroyed one another, and could have no pretence of bringing any benefit or advantage to the people of England, being intended only for mischief and destruction.

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He was further told, That it appeared he was an *Irish* Papist; and that he had formerly instilled very Wicked and Dangerous Principles into the minds of the People of that Kingdom, and had now endeavoured to 'set this Nation in a Flame by his Treasonable practices, thereby to bring in the Popish Religion among us, but that it hath pleased God to deliver us out of their hands, and to bring him to Justice; and the Court was now to pronounce the Judgment which the Law passeth upon such notorious Offenders.

Then the same sentence was pronounced against him, as against *Plunket*; After which Mr. *Fitz Harris* desired that his Wife might come to him, which the Court told him, was nor denied him; he said, she could not come to him, and desired a Rule of Court for it; the Court told him, she was never forbid by them to come to him, and therefore there needed no Rule, but if she were confined upon any other Account, they could take no notice thereof: Mr. *Fitz Harris* then desired liberty for any Friend to come to him, which was readily Granted, and so he was carried out of Court by the Warders of the Town, and from thence he was sent back by Water to the Tower.

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